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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/705,328	11/10/2003	Shailesh B. Gandhi	BOC9-2003-0048 (419)	5106
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AKERMAN SENTERFITT P. O. BOX 3188 WEST PALM BEACH, FL 33402-3188			EXAMINER PHAN, JOSEPH T	
			ART UNIT 2614	PAPER NUMBER
			MAIL DATE 10/09/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/705,328

Applicant(s)

GANDHI ET AL.

Examiner

Joseph T. Phan

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 10 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_

**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 1-20 rejected under 35 U.S.C. 102(e) as being anticipated by Berger et al.,**

**Pub No: US 2003/0152203 A1.**

Regarding claim 1, Berger teaches a method of accessing voice services through a personal computing system comprising the steps of:

receiving, in the personal computing system, a telephone call from a user registered with the personal computing system, wherein the user is remotely located from the personal computing system(page 3 para 39-40);

receiving a user spoken utterance over the telephone call; speech recognizing the user spoken utterance to determine a request for a voice service; formatting an electronic message according to the request for a voice service; and sending the electronic message over a communications network to a remote computing system in accordance with the request for a voice service(page 1 para 7-17 and page 2 para 29).

Regarding claim 2, Berger teaches the method of claim 1, wherein the request is a request for content from a remote computing system, said formatting step comprising building an electronic message to be sent over the Internet(page 1 para 7-17, page 2 para 29, page 3 para 39-

40).

Regarding claim 3, Berger teaches the method of claim 2, further comprising the steps of: receiving content in the personal computing system from the remote computing system; convening the content to speech audio in the personal computing system; and playing the audio to the user over the telephone call(page 1 para 7-17, page 2 para 29, page 3 para 39-40).

Regarding claim 4, Berger teaches the method of claim 1, wherein the request is a request to send an electronic mail, said method further comprising the steps of: receiving at least one additional user spoken utterance; and convening the at least one additional user spoken utterance to text, wherein said formatting step builds an electronic mail to be sent in said sending step and includes the speech recognized text in the electronic mail(page 1 para 7-17, page 2 para 29, page 3 para 39-40).

Regarding claim 5, Berger teaches the method of claim 1, wherein the request is a request to send an instant message, said method further comprising the steps of: receiving at least one additional user spoken utterance; and converting the at least one additional user spoken utterance to text, wherein said formatting step builds an instant message to be sent in said sending step and includes the speech recognized text in the instant message(page 1 para 7-17, page 2 para 29, page 3 para 39-40).

Regarding claim 6, Berger teaches a system for accessing voice services through a personal computing system comprising:  
an interface for receiving telephone calls within the personal computing system;  
a speech recognition system disposed within the personal computing system for converting user

utterances received over established telephone calls to text(page 1 para 7-17, page 2 para 29, page 3 para 39-40); and

a service engine configured to receive speech recognized text from said speech recognition system, identify user requests from the text, generate messages according to the user requests, and send the messages to at least one remote computing system via a communications network(page 1 para 7-17, page 2 para 29, page 3 para 39-40).

Regarding claim 7, Berger teaches the system of claim 6, further comprising a text-to-speech engine disposed within the personal computing system for converting received text to speech to be played over established telephone calls, wherein said service engine receives content responsive to the sent messages and provides the content to the text-to-speech engine to be rendered as speech(page 1 para 7-17, page 2 para 29, page 3 para 39-40).

Regarding claim 8, Berger teaches the system of claim 7, wherein said service engine comprises an electronic mail interface configured to generate messages according to user requests, wherein the messages are electronic mail messages(page 1 para 7-17, page 2 para 29, page 3 para 39-40).

Regarding claim 9, Berger teaches the system of claim 8, wherein said service engine comprises an instant messaging client configured to generate messages according to user requests, wherein the messages are instant messages(page 1 para 7-17, page 2 para 29, page 3 para 39-40).

Regarding claim 10, Berger teaches the system of claim 9, wherein said service engine interacts with a Hypertext Transfer Protocol Interface configured to format user requests for transmission over the Internet(page 1 para 7-17, page 2 para 29, page 3 para 39-40).

**Regarding claim 11, Berger** teaches a system for accessing voice services through a personal computing system comprising:

means for receiving, in the personal computing system, a telephone call from a user registered with the personal computing system, wherein the user is remotely located from the personal computing system; means for receiving a user spoken utterance over the telephone call(page 1 para 7-17, page 2 para 29, page 3 para 39-40);

means for speech recognizing the user spoken utterance to determine a request for a voice service; means for formatting an electronic message according to the request for a voice service; and means for sending the electronic message over a communications network to a remote computing system in accordance with the request for a voice service(page 1 para 7-17, page 2 para 29, page 3 para 39-40).

Regarding claim 12, Berger teaches the system of claim 11, wherein the request is a request for content from a remote computing system, wherein said means for formatting build an electronic message to be sent over the Internet(page 1 para 7-17, page 2 para 29, page 3 para 39-40).

Regarding claim 13, Berger teaches the system of claim 12, further comprising:  
means for receiving content in the personal computing system from the remote computing system;  
means for converting the content to speech audio in the personal computing system; and  
means for playing the audio to the user over the telephone call(page 1 para 7-17, page 2 para 29, page 3 para 39-40).

Regarding claim 14, Berger teaches the system of claim 11, wherein the request is a

request to send an electronic mail, said system further comprising: means for receiving at least one additional user spoken utterance; and means for converting the at least one additional user spoken utterance to text, wherein said means for formatting builds an electronic mail to be sent and includes the speech recognized text in the electronic mail(page 1 para 7-17, page 2 para 29, page 3 para 39-40).

Regarding claim 15, Berger teaches the system of claim 11, wherein the request is a request to send an instant message, said system further comprising:  
means for receiving at least one additional user spoken utterance; and means for converting the at least one additional user spoken utterance to text, wherein said formatting step builds an instant message to be sent in said sending step and includes the speech recognized text in the instant message(page 1 para 7-17, page 2 para 29, page 3 para 39-40).

**Regarding claim 16, Berger** teaches a machine readable storage, having stored thereon a computer program having a plurality of code sections executable by a machine for causing the machine to perform the steps of: receiving, in the personal computing system, a telephone call from a user registered with the personal computing system, wherein the user is remotely located from the personal computing system(page 1 para 7-17, page 2 para 29, page 3 para 39-40).; receiving a user spoken utterance over the telephone call;  
speech recognizing the user spoken utterance to determine a request for a voice service;  
formatting an electronic message according to the request for a voice service;  
and sending the electronic message over a communications network to a remote computing system in accordance with the request for a voice service(page 1 para 7-17, page 2 para 29, page 3 para 39-40).

Regarding claim 17, Berger teaches the machine readable storage of claim 16, wherein the request is a request for content from a remote computing system, said formatting step comprising building an electronic message to be sent over the Internet (page 1 para 7-17, page 2 para 29, page 3 para 39-40).

Regarding claim 18, Berger teaches the machine readable storage of claim 17, further causing the machine to perform the steps of:  
receiving content in the personal computing system from the remote computing system;  
converting the content to speech audio in the personal computing system; and playing the audio to the user over the telephone call (page 1 para 7-17, page 2 para 29, page 3 para 39-40).

Regarding claim 19, Berger teaches the machine readable storage of claim 16, wherein the request is a request to send an electronic mail, said machine readable storage further causing the machine to perform the steps of:  
receiving at least one additional user spoken utterance; and converting the at least one additional user spoken utterance to text, wherein said formatting step builds an electronic mail to be sent in said sending step and includes the speech recognized text in the electronic mail (page 1 para 7-17, page 2 para 29, page 3 para 39-40).

Regarding claim 20, Berger teaches the machine readable storage of claim 16, wherein the request is a request to send an instant message, said machine readable storage further causing the machine to perform the steps of:  
receiving at least one additional user spoken utterance; and converting the at least one additional user spoken utterance to text, wherein said formatting step builds an instant message to be sent in



said sending step and includes the speech recognized text in the instant message(page 1 para 7-17, page 2 para 29, page 3 para 39-40).

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph T. Phan whose telephone number is (571) 272-7544. The examiner can normally be reached on Mon-Fri 9am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JTP

September 15, 2007

